

IN THE CIRCUIT COURT OF  
BARBOUR COUNTY, ALABAMA  
EUFULA DIVISION

ARMA JEAN HARRIS,

Plaintiff,

vs.

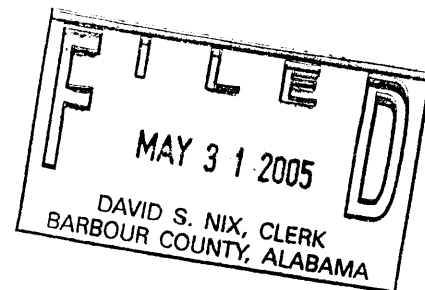
BEAULIEU GROUP, LLC and  
FICTITIOUS DEFENDANTS A, B, and  
C, being those persons, firms and/or  
corporations who own and/or operate the  
company which is responsible for installing  
and maintaining the heating, cooling and  
duct work for the system located at  
Beaulieu Group, LLC, on or before June 1,  
2003, whose true and correct names are  
unknown at the present time but will be  
substituted by amendment when  
ascertained; D, E, and F, being those  
persons, firms and/or corporations which  
were the employees of the company which  
is responsible for installing and  
maintaining the heating, cooling and duct  
work for the system located at Beaulieu  
Group, LLC, on or before June 1, 2003,  
whose true and correct names are  
unknown at but will substituted by  
amendment when ascertained,

Defendants.

CASE NO. CV-05-

05-101

JURY TRIAL DEMANDED



COMPLAINT

COMES NOW the Plaintiff in the above styled matter, by and through counsel,  
and hereby submits this Complaint at law against the Defendants, and as grounds therefor  
shows unto the Court as follows:

STATEMENT OF THE PARTIES

1. Plaintiff, Arma Jean Harris, is over the age of nineteen (19) years and is a resident  
citizen of Barbour County, Alabama.

2. Defendant, Beaulieu Group, LLC (hereinafter "Beaulieu") is a foreign corporation licensed to do business in Barbour County, Alabama.
3. Fictitious Defendants "A", "B" and "C" are those persons, corporations, partnerships or other legal entities who own and/or operate the company which is responsible for installing and maintaining the heating, cooling and duct work for the system located at Beaulieu Group, LLC, on or before June 1, 2003, whose true and correct names are unknown at the present time but will be substituted by amendment when ascertained; "D", "E" and "F" being those persons, firms, and/or corporations which were the employees of the company which is responsible for installing and maintaining the heating, cooling and duct work for the system located at Beaulieu Group, LLC, on or before June 1, 2003, whose true and correct names are unknown at this time but will be substituted by amendment when ascertained.

#### **STATEMENT OF THE FACTS**

4. Plaintiff began her employment with Beaulieu Group, LLC in 1986 and at the time of the accident in question was a winder operator.
5. On June 1, 2003, Plaintiff was working within the line and scope of her employment with the Defendant when part of an air conditioning cover, duct work, debris and water fell over fifty (50) feet onto her head and neck. Plaintiff was taken to Lakeview Community Hospital by her supervisor for treatment.
6. Thereafter, Plaintiff was taken from Lakeview Community Hospital to Flowers Hospital in Dothan, Alabama where she was diagnosed with a severe head injury.
7. Plaintiff subsequently treated with First Med of Dothan complaining of back and neck pain as well pressure in her eyes. She was diagnosed with blunt force trauma

to the head and neck and was admitted to Southeast Alabama Medical Center on June 4, 2003 for observation.

8. While at Southeast Alabama Medical Center, Plaintiff underwent several x-rays, CT scans and MRI tests. After said tests had been performed, Plaintiff was diagnosed with post concussion syndrome with amnesia.
9. Plaintiff has continued to experience problems with her head and neck and has received treatment for same from several physicians.
10. As of the filing of this Complaint, Plaintiff continues to suffer from said condition.

**COUNT I**  
**NEGLIGENCE, WANTONNESS AND/OR WILLFULLNESS**

11. Plaintiff re-alleges all prior paragraphs as if set out here in full.
12. Defendant Beaulieu Group, LLC and Fictitious Defendants owed Plaintiff a duty to make reasonable efforts to prevent dangerous conditions from occurring on its premises.
13. Defendant Beaulieu Group, LLC and Fictitious Defendants owed the Plaintiff a duty to perform reasonable inspections to seek out any such dangerous conditions.
14. Defendant Beaulieu Group, LLC and Fictitious Defendants owed the Plaintiff a duty to warn her or to otherwise protect her from the dangerous condition as described above.
15. Defendant Beaulieu Group, LLC and Fictitious Defendants negligently, wantonly, and/or willfully failed to exercise its duties and obligations as described herein above.

16. Furthermore, Fictitious Defendants A, B, C, D, E, and F owed a duty to the Plaintiff to properly install and maintain the air conditioning system including the duct work in a reasonable and prudent fashion.
17. The Fictitious Defendants breached said duty by negligently, wantonly and/or willfully installing and/or maintaining said system in a fashion resulting in said system falling upon and injuring the Plaintiff.
18. As a direct result of Defendant Beaulieu Group, LLC and Fictitious Defendants' negligence, wantonness, and/or willfulness, the Plaintiff suffered severe physical injuries, loss of enjoyment of life, mental anguish and emotional distress.

WHEREFORE, the above premises considered, the Plaintiff prays that this Honorable Court award her compensatory and punitive damages in an amount which the jury deems fit, plus costs of court.


**COUNT II**  
**NEGLIGENT HIRING, TRAINING AND SUPERVISION**

19. Plaintiff re-alleges all prior paragraphs as if set out here in full.
20. Defendant Beaulieu Group, LLC and Fictitious Defendants owed Plaintiff a duty to use reasonable and ordinary care in the hiring, training and supervision of any person or business charged with installing and/or maintaining the air conditioning system and duct work.
21. Defendant Beaulieu Group, LLC and Fictitious Parties wantonly and/or willfully breached their duty to Plaintiff by failing to use the reasonable and ordinary care necessary to insure that said air conditioning unit was properly installed and maintained.
22. As a result of Defendant Beaulieu Group, LLC and Fictitious Parties breach, the

Plaintiff has been proximately caused damage.

WHEREFORE, the above premises considered, the Plaintiff prays that this Honorable Court award her compensatory, consequential, and punitive damages in an amount a jury deems fit and allowed under the law.

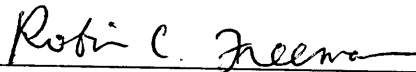
Respectfully submitted this the 27<sup>th</sup> day of May, 2005.



ROBIN C. FREEMAN (FRE 050)  
Attorney for Plaintiff

OF COUNSEL:  
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**PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS SO TRIABLE.**



OF COUNSEL

SERVE DEFENDANT AT:

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